

## UNITED STATES DISTRICT COURT

DEC 11 2019

for the

District of New Mexico

MITCHELL R. ELFERS  
 CLERK

United States of America

v.

Hector CONTRERAS-AGUIRRE  
 AKA: "PISTOLAS"  
 YOB: 1983

Case No. 19 mj 4418

\_\_\_\_\_  
 Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 10, 2019 in the county of Bernalillo in the  
 State and District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. §§ 1326(a) and (b)

Reentry of a Removed Alien

This criminal complaint is based on these facts:

See attached

☐ Continued on the attached sheet.


Complainant's signature

Matthew D. Salcido Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/11/2019City and state: Albuquerque, New Mexico


Judge's signature

Honorable Karen B. Molzen Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA**

**V.**

Hector CONTRERAS-AGUIRRE  
AKA: "PISTOLAS"

**AFFIDAVIT IN SUPPORT OF PROBABLE CAUSE ARREST**

I, Matthew Salcido, duly sworn, hereby depose and state the following:

**INTRODUCTION AND AGENT BACKGROUND**

Your affiant is a Deportation Officer (DO) with the Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), and has been employed by ICE as such since July of 2011. Your affiant was an Immigration Enforcement Agent with ICE ERO from March of 2007 to July of 2011. Prior to March of 2007, your affiant was a Customs and Border Protection Officer with United States Customs and Border Protection since March 2005. Your affiant is currently assigned to the Assistant Field Operations Director in Charge, Albuquerque, New Mexico where it is your affiant's duties to investigate violations of Immigration law.

The information contained in this affidavit is not an exhaustive account of everything your affiant knows about this case. Rather, it contains only the facts that your affiant believes are necessary to establish probable cause in support of a criminal complaint against Hector CONTRERAS-AGUIRRE for violation of Title 8, United States Code, §§ 1326(a) and (b).

**DETAILS OF INVESTIGATION**

On December 6, 2019, DO Salcido received an anonymous tip that an individual by the name of Hector CONTRERAS-AGUIRRE aka: "PISTOLAS" had returned to the United States after being deported and was residing in his mother's residence located at 201 San Jose Street SE, Albuquerque, NM 87102. Further reporting indicates that CONTRERAS-AGUIRRE is a known

Juaritos Maravilla (JMV) street gang member that goes by the moniker "PISTOLAS" and is known to carry weapons and is currently involved in the trafficking of illegal narcotics.

DO Salcido conducted records checks and found that CONTRERAS-AGUIRRE was in fact a previously removed aggravated felon who was issued alien number XXX 464 and FBI number XXXXXXTB2.

Through records checks DO Salcido found that CONTRERAS-AGUIRRE was issued a New Mexico driver's license bearing driver authorization number XXXXXX363 and the name Hector Contreras-Aguirre. DO Salcido compared the photograph contained on the driver's license issued on June 26, 2018, to archived booking photographs of CONTRERAS-AGUIRRE. DO Salcido determined that the photographs were the same individual.

DO Salcido conducted further records checks and found that CONTRERAS-AGUIRRE is a citizen and national of Mexico who was illegally present in the United States. DO Salcido conducted an exhaustive review of all pertinent indices and CONTRERAS-AGUIRRE alien file and found that CONTRERAS-AGUIRRE had not applied for nor received permission from the Secretary of Homeland Security, or a designee, to reenter the United States after having been removed. In the course of this review, DO Salcido also found the following information:


- On June 3, 2008, CONTRERAS-AGUIRRE was convicted in the Second Judicial District Court in Bernalillo County, New Mexico for the offenses of; Trafficking by Possession with Intent to Distribute Cocaine in violation of § 30-31-20(a)(3) of NMSA 1978, under cause number 2007-03751, Trafficking by Possession with Intent to Distribute Cocaine in violation of § 30-31-20 of NMSA 1978, Conspiracy to Commit Contributing to Delinquency of a Minor in violation of §§ 30-28-2 and 30-6-3 of NMSA 1978 and Receiving Stolen Property (Firearm) in violation of 30-16-11 of NMSA 1978 under cause number 2008-02431.
- On September 23, 2008, CONTRERAS-AGUIRRE was sentenced to a total of 19 years and 6 months incarceration, of which 10 years and 6 months were suspended for an actual term of incarceration of 9 years.

- On May 11, 2009, while in New Mexico Department of Corrections Custody, CONTRERAS-AGUIRRE was issued a Notice of Intent to Issue a Final Administrative Order of Removal.
- On May 13, 2009, while in New Mexico Department of Corrections Custody, CONTRERAS-AGUIRRE was issued a Final Admirative Order of Removal from the United States.
- On October 30, 2012, CONTRERAS-AGUIRRE was released from New Mexico Department of Corrections and remanded to ICE custody.
- On October 31, 2012, CONTRERAS-AGUIRRE was physically removed from the United States to Mexico.


On December 10, 2019, DO Salcido and DO Garcia conducted surveillance at 201 San Jose St. SE. Albuquerque, New Mexico, with the intent of verify CONTRERAS-AGUIRRE's illegal presence in the United States.

At approximately 0830 hours, DO Salcido observed a white Jeep Grand Cherokee, bearing New Mexico registration APGX93, depart the residence with a single male driver. Shortly after DO Garcia made positive visual confirmation that the driver of the vehicle was in fact CONTRERAS-AGUIRRE.

Based on the foregoing, your affiant believes that there is probable cause that, in the State and District of New Mexico, Hector CONTRERAS-AGUIRRE is in violation of Title 8 United States Code, § 1326 (a) and (b), Reentry of a Removed Alien.

  
Matthew D. Salcido  
Deportation Officer

Subscribed and sworn to before me  
This 11th day of December 2019

  
Honorable Karen B. Molzen  
United States Magistrate Judge